



04-1500-JJF

Dear Judge Larson

My Name is David Mayfield #260568 I filed a 1983 motion in your Honorable Court in December on the 6th 2004 However the Court Chanted my Informing Papers and I Had 30 Days from November 17th to Send in the Partial Filing Fee of \$ 29.74. However on February 9th 2005 the Court Dismissed my motion Because of Not Receiving The Filing Fee on time, after Receiving The Courts letter in Regards to The Court Closing my case.

I Filed a motion for Reinstatement Because it was Not my fault That the Court did Not Recieve my Partial Filing Fee Because it was the Error of The Prison Business Office and I Sent Proof to Support it and I Requested That The Court Hold The Delaware Correctional Center Business office liable and order them to Pay the Fee for my Case -

Because I Sent The Informing Papers to the Prisons Business 2 Days after Christmas and my inmate Account had No balance on the 18th of January

There Reason for Not Sending the Fee
to The Court Was Due to Staffing
Shortages & Should Not Be Held
Accountable For The Prison's Staff
shortages which was the cause for them
Not Sending the Court the \$ 29.74
Partial Filing Fee - I am Not in a
Position to See That The Court Receive
The Fee on a timely fashion "then and now".
on Wednesday February 23rd 2005

I was transferred up to the Howard
R. Young Correctional Facility, - I am not
complaining of the transfer because now I am
Home closer to my Mother.

I pray that this Honorable Court
will reinstate my 1983 motion - 04-1500-TTF
because of delay errors of the Business office
at the Delaware Correctional Center in my case.
If I am Reinstated. ~~This~~ would my transfer
effect my Argument Claims - Because my 1983
Argument Claims were Against Warden Thomas Carroll
W.R. Shi and First Correctional Medical (F.C.M)
E.t.A.L - Not the Howard R. Young Corrections
Facilities, Warden Rafael Williams and
First Correctional Medical at that facility
were I was transferred to.

I am Resubmitting letter written

on February 14 to this Honorable Court
as to why the partial Filing Fee for
Case 04-1500-TTF
was not Received

Respectfully
David Mayfield

Reason for Filing Fee → Civil Act 04-1500-TJF
Late Filing Fee → Case

Dear Court Clerk

My Name is David Mayfield
the Above Case was Dismissed by the
Court Because they did Not Receive my
Partial Filing Fee "However I Filed a
Motion for Reinstatement Because it was
not my fault That the Courts did Not
Receive my Payment - it was a Business
Office error as the Reason for the Courts
Not Receiving my Partial Payment -
I also Submitted Proof with my motion
for Reinstatement, that it was a Business
Office error. I've Been Writing the Business
Office Since Early January as to why the
Partial Filing Fee was Not Removed from
my Account "the Business office Finally
Sent me a Memo Dated 2/14/05 as to
the Reasons the Partial Filing Fee
was not Sent to the Court.

Please See Attached memo from the
Business office -

I would also like to know if the Courts
Still Have all my Letters & paperwork,
Duck Call Slips and Grievances Because I
Spent Many Hours Preparing those materials
I am ask This Honorable Court to Reinstate
This Case under 04-1500-TJF - and Hold

the Business office Responsible for Not
Sending out the Filing as Directed

I'm also asking that the Prison Be Responsible
for the entire fee Because they are Responsible
for my Case Being Closed or I'm asking That
the Filing Fee Be Served and allow me to
only Pay \$ 75.00.

Please Respond

2/14/05

Sincerely,
David Mayfield
Petitioner

Exhibit

MEMORANDUM

TO: David Mayfield #260768
FROM: Crawford, Inmate Accounts
DATE: 02/14/2005

I do apologize that the funds for filing fees were not deducted from your account. Due to staffing issues, in the business office this is one thing that has fallen behind. If you would send up a pay to for the amount of the filing fees they will get sent out. If you don't know the amount of the filing fees send us a blank Pay to along with a note letting us know what it is for, the business office will be glad to calculate it for you.

Pay to's get processed every week, so your filing fees will go out in a timely manor.

Thank You
Mrs. Crawford
Inmate Accounts
DCC

CLOSED

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:04-cv-01500-JJF
Internal Use Only**

Mayfield v. Carroll, et al
Assigned to: Judge Joseph J. Farnan Jr.
Demand: \$0
Case in other court: USDC/DE, 03cv292JJF
USDC/DE, 04cv888JJF
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/06/2004
Jury Demand: None
Nature of Suit: 555 Habeas Corpus
(Prison Condition)
Jurisdiction: Federal Question

Plaintiff

David L. Mayfield

represented by **David L. Mayfield**
SBI# 260768
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977
PRO SE

V.

Defendant

Warden Thomas Carroll

Defendant

First Correctional Medical

Defendant

Dr. Ali

Date Filed	#	Docket Text
12/06/2004	1	COMPLAINT filed. (els) (Entered: 12/08/2004)
12/06/2004	2	Letter dated 12/4/04 from David Mayfield to the Court regarding IFP (els) (Entered: 12/08/2004)
12/07/2004	3	Letter from pltf to Clerk of the Court w/IFP and Trust Fund Account Statement (dab) (Entered: 12/08/2004)
12/07/2004	4	MOTION by David L. Mayfield to Proceed in Forma Pauperis (dab) (Entered: 12/08/2004)
12/15/2004	5	CASE assigned to Judge Joseph J. Farnan Jr. . Notice to all parties. (rjb) (Entered: 12/15/2004)

12/17/2004	6	ORDER granting [4-1] motion to Proceed in Forma Pauperis and assessing \$150.00 filing fee. An initial partial filing fee of \$29.74 shall be required. Pltf shall return the attached payment authorization w/in 30 days. Failure to return payment authorization shall result in dismissal of action w/out prejudice. Set Notice of Compliance deadline to 1/16/05 for David L. Mayfield (signed by Judge Joseph J. Farnan Jr.) copy to: Pltf w/Mag. Consent form (afb) (Entered: 12/21/2004)
12/17/2004		FILING FEE \$ 150.00 assessed. (afb) (Entered: 12/21/2004)
12/28/2004	7	LETTER to the Court from pltf. re: his medical condition. (afb) (Entered: 12/29/2004)
12/28/2004	8	LETTER to the Court from the pltf. re: his medical condition. (afb) (Entered: 12/29/2004)
12/28/2004	9	LETTER to the court from pltf. re: his medical condition. (afb) (Entered: 12/29/2004)
12/28/2004	10	MOTION w/ Mem. in supp. by David L. Mayfield with Proposed Order Rule 65 Injunction re: [10-1] motion (afb) (Entered: 12/29/2004)
12/28/2004	11	PETITION by David L. Mayfield for Writ of Mandamus (afb) (Entered: 12/29/2004)
01/06/2005	12	MOTION by David L. Mayfield for Appointment of Counsel re: [12-1] motion (afb) (Entered: 01/11/2005)
02/01/2005	13	LETTER to the Court from pltf. re: pltf.'s 1983 motion. (afb) (Entered: 02/02/2005)
02/07/2005	14	ORDER dismissing without prejudice pltf.'s [1-1] complaint. Pltf. is not required to pay any previously assessed fees or the \$150.00 filing fee. (signed by Judge Joseph J. Farnan Jr.) copies to: pltf. and pro se law clerk (afb) (Entered: 02/09/2005)
02/07/2005		Civil debt removed \$ 150.00 by Judge Joseph J. Farnan Jr. (afb) (Entered: 02/09/2005)
02/07/2005		Case closed per DI #14. (afb) (Entered: 02/09/2005)